

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76327 of 2025

Arising Out of PS. Case No.-241 Year-2022 Thana- DUMARIAGHAT District- East
Champaran

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Sugandhi Devi W/O Bhulai Yadav Village- Dhangadha Sarotar, P.S.-
Dumariya Ghat, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Natraj Verma, Advocate
For the State : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-04-2026 Heard Mr. Natraj Verma, learned counsel for the

petitioner and Mr. Rajiv Nayan, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
11.06.2025, in connection with Dumariya Ghat P.S. Case No.
241 of 2022, F.I.R. dated 15.11.2022 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, in brief, is that on
14.11.2022 at about 07:00 P.M., one Mukesh Yadav called the
informant's husband and invited him to a party and he went to
the said party. However, when the informant's husband did not
return till late night, the informant's mother-in-law went to the
house of Mukesh Yadav where all the FIR named accused
persons including the petitioner, who were armed with iron-rod



and lathi, abused her and ousted her from their house. Thereafter, the informant went to the Police Station and brought her husband to Kesariya Hospital where the Doctor declared him dead.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. From perusal of the F.I.R. it appears that although the petitioner is named in the F.I.R. but there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and apart from aforesaid the informant is not an eye witness of the alleged occurrence and similarly situated co-accused person, namely, Ramawati Devi has been granted bail by a Coordinate Bench of this Court vide order dated 01.09.2025 passed in Cr. Misc. No. 59710 of 2025. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 11.06.2025.

5. The learned Additional Public Prosecutor for the



State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation of any assault or overt act against the petitioner in the F.I.R. as well as similarly situated co-accused person has been granted bail by a Coordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Dumariya Ghat P.S. Case No. 241 of 2022 , subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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